

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

KRIS ST. ONGE

No. 03-CR-10395-WGY

MOTION FOR AUTHORIZATION OF EXPERT SERVICES

Defendant, by appointed counsel, pursuant to the provisions of 18 U.S.C. § 3006(e), moves this Court to authorize the use of the expert services of Bernice Kelly, Psy.D, M.S., R.N., a licensed psychologist, to examine and evaluate the defendant prior to sentencing, currently scheduled on December 14, 2004. Dr. Kelly's curriculum vitae is attached hereto and incorporated herein by reference.

The grounds for this motion are as follows:

1. Counsel has met and conferred with defendant on several occasions and has become increasingly concerned about defendant's erratic behavior. Defendant's family members share this concern.
2. Defendant has admitted to an addiction, which may have a role in his behavior.
3. An examination and evaluation by a psychologist will assure that the Court is fully informed regarding the defendant's mental condition and treatment needs prior to imposition of sentence.
4. Dr. Kelly charges at the hourly rate of \$250.00 and has informed counsel that the estimated cost for her services is approximately \$4,500.00.

BERNICE KELLY, PSY.D., M.S., R.N.
Licensed Psychologist Provider

**Massachusetts General Hospital
Law and Psychiatry Service
60 Staniford Street, Suite # 1
Boston, Massachusetts 02114-2517
(617) 724-2939**

EDUCATION:

Massachusetts School of Professional Psychology, Boston, MA
Psy.D., April 1990

Massachusetts School of Professional Psychology, Boston, MA
Postdoctoral Master of Science in Clinical Psychopharmacology, 6/03

Emmanuel College, Boston, MA
B.A. Psychology, 1979

Massachusetts General Hospital School of Nursing, Boston, MA
R.N. Diploma in Nursing, 1968

**Advanced Clinical Fellow, Massachusetts General Hospital Law and Psychiatry
Service, Advanced Certification Program in Adult Forensic Psychology, 1996-1997**

Licensed In Psychology in Massachusetts and Rhode Island

Registered Nurse in Massachusetts

Certification in Mediation, Massachusetts Center for Dispute Settlement

ACADEMIC AFFILIATIONS:

1999- **Massachusetts General Hospital, Harvard Medical School,**
Present **Boston, MA, Clinical Instructor in Psychology, Department of
Psychiatry.**

9/01- **Massachusetts School of Professional Psychology, Boston, MA**
Present **Adjunct Faculty in Forensic Psychology**

1996- **Massachusetts General Hospital, Harvard Medical School,**
9/98 **Boston, MA, Clinical Fellow.**

1995- **Research Associate, Program in Psychiatry and the Law,**
Present **Massachusetts Mental Health Center and Harvard Medical School
Boston, MA.**

9/99- **Massachusetts Criminal Justice Training Council**
2002 **Canton Police Academy and Tewksbury Police Department.**
Law Enforcement instructor in mental health.
South Suburban Police Institute, Inc.
Law Enforcement instructor in mental health.

6/99- **Children and Infant's Hospital, Providence, RI. Consultant to Project**
2001 **Link to develop a multidimensional assessment system for mothers who
substance abuse in fulfillment of a literacy and self-sufficiency
grant from the United Way of Rhode Island.**

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7/00- **American Academy of Psychiatry and the Law**, Consultant to Law/
present Enforcement Committee.

CLINICAL APPOINTMENTS:

1998- **Massachusetts General Hospital**, Boston, MA,
Present Clinical Assistant in Psychology, Department of Psychiatry
1996- **McLean Hospital**, Belmont, MA
1999 Attending Psychologist, Developmental Disabilities Program

EXPERIENCE:

7/00- **Massachusetts General Hospital Law and Psychiatry**
Present **Service, Boston, MA.** Senior Forensic psychologist, Contract Manager/Training Director, MGH Suffolk and Norfolk County Juvenile Court Clinic Contracts. Program Manager and Chief Psychologist at Boston Juvenile Court Clinic. Experience in criminal and civil forensics, both adult and child.

3/2000- **Metropolitan Special Tactics and Response (METROSTAR)**,
Present Consultant to Crisis Negotiation Team, unit located at Braintree Police Department, Braintree, MA. Responds to 44 cities and towns.

12/98- **Massachusetts General Hospital Law and Psychiatry**
Present **Service, Boston, MA,** Senior Staff Psychologist. Forensic Consultation and Evaluations, Criminal, Civil, and GAL. Consultation to Law Enforcement, Corporate Risk Management.

1/99- **Erich Lindemann Mental Health Center, Boston, MA.** Forensic
6/99 Evaluator.

11/97- **Associates In Behavioral Health, Inc., Cranston, RI.** President and
Present Treasurer, Group Practice in clinical and forensic psychology.

1996- **Consultation and Assessment Practice, Norwood, MA.**
2/99 Forensic Consultation and Evaluations, Criminal, Civil, and GAL. Health care consultation and training including Medicare and Medicaid documentation, audits, medical necessity, and second opinions. Assessment practice includes psychological, neuropsychological, and forensic evaluations for adults and children.

9/96- **Private Practice, Warwick and Cranston, RI.**
1997 Psychotherapy and Psychological Assessment, part-time.

1/92- **Private Practice, Norwood, MA.**
1996 Psychotherapy, Psychological and Neuropsychological Assessment. Seminars and workshops in a variety of topics related to health and disability. Appointed Guardian ad Litem to Plymouth County by Judge Catherine Sabatiti (6/92). Consultation in Geriatric and Medical Psychiatric Program Development.

4/93- **Spurwink School II, Lincoln, RI.**
9/99 Consulting Clinical Psychologist, neuropsychological assessment, case consultation and teacher training in a school for behaviorally disordered children grades Kindergarten through 12th grade.

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- 10/93-4/96 **Universal Health Systems of New England, Inc. Boston, MA, Director, Center for Later Life Development.** Clinical and operational oversight of geropsychiatry programming including a 14 bed inpatient unit, three partial hospital programs, nursing home consultation program, and ambulatory services. Administrative responsibilities include conference planning, financial accountability marketing, customer service, recruitment, supervision, and training of program managers, program development and design. Clinical responsibilities include quality assurance, utilization review, and clinical standards. Developed a clinical assessment model and service delivery system consistent with a managed care philosophy of treatment. Teaching responsibilities include Boston University medical students and psychology interns.
- 6/86-11/93 **HRI Counseling Center, Franklin, MA.** Provided psychotherapy services in a suburban community clinic.
- 6/90-3/92 **Shaughnessy-Kaplan Rehab Hospital, Salem, MA.** Supervisor, Department of Rehab Psychology, Contract with Mentor, Inc. Designed and implemented a Rehab Psychology Department serving the full range of medical rehab patients. Responsibilities included recruitment and supervision of psychology staff, inservice education, utilization review, and quality improvement.
- 4/90-6/92 **Department of Special Education, Stoughton Public Schools, Stoughton, MA. Consulting Clinical Psychologist.**
- 4/89-1/90 **SSTAR Rehab Program for Women, Fall River, MA.** Program Director. Designed and implemented a Section 35 program for women who substance abuse as an alternative to commitment at Framingham MCI. Responsible for clinical and administrative operations of a 20 bed locked unit public relations, and liaison with the justice system.
- 6/88-4/89 **Department of Rehab Psychology, University Hospital, Boston, MA.** Supervisor of Chronic Care Program. Implemented a Rehab Psychology Service for the Chronic Care Division of the Department of Health and Hospitals in Partnership with Mentor Clinical Care, Inc.
- 9/81-8/84 **Massachusetts Department of Mental Health, Norwood Day Treatment Center, Norwood, MA. Program Director.** Responsible for clinical operations of multidisciplinary day treatment center and clinic serving individuals with acute and chronic mental illness.
- 2/78-9/81 **Massachusetts Department of Mental Health, Norwood Day Treatment Center, Norwood, MA. Psychiatric Nurse** providing group and individual therapy to the full range of individuals with acute and chronic mental illness.
- 2/75-2/78 **Westwood Lodge Hospital, Westwood, MA. Staff nurse** with charge and supervisory responsibilities.
- 9/68-2/75 **Boston Visiting Nurse Association, Boston, MA. Public Health Nurse** providing both medical and mental health services to the residents of the

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inner city. Member of special treatment team for battered and failure-to thrive children.

INTERNSHIPS:

7/87- **University Hospital, Boston, MA.** Psychology Intern. Provided
6/88 psychological services on an acute spinal cord injury unit.
Specialized training in sexuality and disability.
9/86- **Fuller Memorial Hospital, Attleboro, MA.** Psychology Intern,
7/87 Provided psychological services on an Adolescent Substance Abuse
Unit, specialized training in neuropsychological assessment.
9/85- **Trinity Mental Health Center, Framingham, MA**
6/86 Psychology Intern.
9/84- **Bridgewater State College Counseling Center, Bridgewater, MA.**
6/85 Psychology Intern.

PUBLICATIONS:

Price Marilyn and Bernice Kelly. "Crisis/hostage negotiations". *American Academy of Psychiatry and the Law Newsletter*, January 2002.
"Women, Aging and Long Term Care". *Developments, The Center for Women's Development*, Vol.2, No.3, Summer 1993.
"Changing Institutional Environments". *Hospital News*, January, 1993.

MEMBERSHIPS:

American Psychological Association, Divisions 40 and 41
Massachusetts Psychological Association
Rhode Island Psychological Association, Member of the Ethics Committee, 1997-1999
Massachusetts Neuropsychological Society
International Academy of Law and Mental Health
American Society of Criminology

PRESENTATIONS AND WORKSHOPS:

"Psychological Testing in Workplace Evaluations of Public Safety Employees", American Psychiatric Association Annual Meeting, NY, May, 2004.
"The Role of Mental Health Professionals on Police Crisis Negotiation Teams", American Academy of Psychiatry and the Law, October, 2003.
"Mediation in a Geriatric Guardian ad Litem Case", American Academy of Psychiatry and the Law, October, 2003.
"Variables Involved in Police Suicide, International Congress on Law and Mental Health, Amsterdam, July 2002.
"Neuropsychological Evaluation in a Geriatric Undue Influence Case", American Academy of Psychiatry and the Law, October, 2002.
"Disposition of the Mentally Ill Following Police Intervention", International Congress on Law and Mental Health, Montreal Canada, July 2001.
"Model Police Training Program for Crisis Management of the Mentally Ill", International Congress on Law and Mental Health, Toronto, Canada, June, 1999.
"Law Enforcement Response to a Tarasoff Report by a Mental Health Professional",

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International Society of Law and Mental Health, Paris, July 1998.

TEACHING EXPERIENCE:

Annual clinical instruction of postdoctoral and predoctoral psychology interns and psychiatric residents and fellows at MGH. Seminars include topics in Psychopathy, Psychological Testing, Geriatric Forensic Psychology. Adult and Child Forensic Psychology.

REFERENCES:

Will be furnished upon request.

Qualified as an Expert Witness

Bristol County-Superior Court
Essex County-Superior and Juvenile
Hampden County-Superior Court
Middlesex County-Probate and Juvenile
Norfolk-Superior, District, Juvenile, Probate
Plymouth County-Superior and Probate
Suffolk-Superior, District, Probate, Juvenile

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Norfolk-Superior, District, Juvenile, Probate
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Suffolk-Superior, District, Probate, Juvenile